



United States Government

NATIONAL LABOR RELATIONS BOARD
1099 14th STREET NW
WASHINGTON DC 20570

Re: Laborers International Union of North America, Local 1177
Case 15-CB-005974

ORDER

Counsel for the Acting General Counsel's Motion to Modify Board Order is granted, in part.¹ Accordingly, pursuant to Section 102.49 of the Board's Rules and Regulations, the Order is modified to include the following paragraph consistent with the Board's directive in *Latino Express, Inc.*, 359 NLRB No. 44 (2012):

Respondent shall be required to compensate all individuals who had registered for referral, and who should have been referred pursuant to Respondent's hiring hall rules, but were not referred at any time on or after October 2, 2009, for any adverse income tax consequences of receiving their back pay in one lump sum.

Dated, Washington D.C., May 31, 2013.

By direction of the Board:

Farah Z. Qureshi
Associate Executive Secretary

¹ The Acting General Counsel seeks to modify the Board Order to include the Social Security reporting requirement and the adverse tax consequence remedies set forth in *Latino Express*, 359 NLRB No. 44 (2012). However, *Latino Express* holds that the Social Security reporting requirement remedy is applicable only to employers of discriminatees. *Id.* slip op. 2, fn. 10. Accordingly, that remedy is not warranted here.